RECEIVED
CENTRAL FAX CENTER
FEB 11 2009

TOWNSEND and TOWNSEND and CREW LLP

San Francisco, California
Tel 415.576.0200

Palo Alto, California
Tel 650.326.2400

Walnut Creek, California
Tel 925.472.5000

San Diego, California
Tel 858.350.6100

Seattle, Washington
Tel 206.467.9600

Washington, DC
Tel 202.481.9900

Tokyo, Japan
Tel +81.3.3507.5609

Denver
1200 Seventeenth Street
Suite 2700
Denver
Colorado 80202-5835
Tel 303.571.4000
Fax 303.571.4321

FACSIMILE COVER SHEET

Date:	Client & Matter Number:	No. Pages (including this one):
February 11, 2009	**16869Y-097200US**	**1**
To:	**At Fax Number:**	**Confirmation Phone Number:**
Examiner Brian Whipple **USPTO**	**571-272-1244** **571-273-8300**	**571-270-1244**

From: Jason A. Sanders **(3904)**

Message:

In anticipation for our telephone conference today at 12:30 EST for application number 10/678,391 please note the following agenda.

Whether Garg discloses a "measurement device selecting means" that includes the limitations in the claims (page 6 of the office action). In particular, whether Garg discloses a measurement device selecting means that "is capable of measuring traffic data relating to a measurement type included in the user request in a measurement device which is extracted with reference to the measurement device information storing means."

Whether Garg discloses receiving means which receives a user request including both path information and measurement type. The user request being used by the measurement device selecting means for selecting network segments and selecting a measurement type. And, whether such processes is well known in the art sufficient to take official notice.

Whether there are distinctions not currently claimed that may be claimed to get around the cited prior art.

Thank you

Jason Sanders

Original Will:		BE SENT BY MAIL		BE SENT BY COURIER		BE SENT BY MESSENGER	X	NOT BE SENT

Faxed: Return to: Jason A. Sanders - (24367)

If you have problems with reception please call Fax Services at **(303) 571-4000**

Important

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and/or exempt from disclosure by applicable law or court order. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the United States Postal Service. Thank you.